



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner
Lawrence M. Boyd et al.)	David C. Comstock
)	
Application Serial No. 09/869,813)	Group Art Unit 3732
)	
Filed January 3, 2002)	Ref. No. MSDI-303/
)	PC379.04
INTERVERTEBRAL SPACERS WITH SIDE)	
WALL ACCESSIBLE INTERIOR CAVITY)	October 31, 2005

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the first Office Action dated June 30, 2005, please enter and consider the following amendments and remarks. A fee in the amount of \$120.00 is remitted herewith for a one (1) month extension of time, thereby extending the time period to respond to the first Office Action to October 31, 2005. The Applicant notes that October 30, 2005 fell on a Sunday, thereby extending the extended time period for responding to the first Office Action to October 31, 2005. No additional claim fees are believed to be due upon entry of this Response. However, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12- 2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 31, 2005

Date of Deposit

Brad A. Schepers

Name of Registered Representative

Signature

October 31, 2005

Date of Signature

INTRODUCTORY COMMENTS

Claims 1, 2, 5-15, 17, 18, 20-37, 40, 41, 44-47, 50-52, 54, 56 and 58 were pending in the subject application for the non-final Office Action mailed on June 30, 2005. Each of the pending claims have been rejected on various grounds. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.